

REMARKS

Claims 1-22 are pending. The Office Action dated January 30, 2007, in this Application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claims 1 and 8 have been amended in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Claims 1-22 were rejected under 35 U.S.C. 102(e) as being anticipated by Chau et al. (US Patent Publication No. 2007/0005685). Applicant respectfully traverses this rejection. Applicant notes that claims 1, 9, 21, and 22 are independent claims. Pending claims 2-8 depend from claim 1, and pending claims 10-20 depend from claim 9.

Regarding independent claim 1 and claims 2-8 that depend from claim 1, Chau et al. does not teach or disclose a system for exchanging a gift card, including: at least one consumer input device; a consumer transaction server coupled to the at least one consumer input device; a transaction exchange server coupled to the consumer transaction server and *configured to exchange the gift card for either: (i) a monetary amount dependent upon a total value of the gift card, or (ii) another gift card*; and a vendor transaction server configured to release funds as a function of the exchanged gift card.

As amended herein, claim 1 recites (emphasis added):

1. A system for exchanging a gift card, comprising:

at least one consumer input device;

a consumer transaction server coupled to the at least one consumer input device;

a transaction exchange server coupled to the consumer transaction server and *configured to exchange the gift card for either: (i) a monetary amount dependent upon a total value of the gift card, or (ii) another gift card*; and

a vendor transaction server configured to release funds as a function of the exchanged gift card.

Chau et al. discloses a web browser-based payment system including a processing server, a virtual terminal comprising a computer running a web browser, a virtual terminal application, at least one Point of Sale device connected to the computer, and a network connection between the processing server and the virtual terminal. The virtual terminal is capable of retrieving from the server the virtual terminal application for processing payment. The virtual terminal invokes an embedded plug-in component which allows the browser to interface with the POS devices. The payment system is capable of processing payments by using payment data from the attached Point of Sale device.

For at least the above reasons, Applicant asserts Chau et al. fails to teach or disclose all of the elements and limitations of pending independent claim 1. Applicant also believes that pending claims 2-8 that depend from claim 1 are also allowable for at least the above reasons.

Regarding independent claim 9 and claims 10-20 that depend from claim 9, Chau et al. does not teach or disclose a method of exchanging a gift card, including: providing data associated with a first gift card; validating the data associated with the first gift card; *selecting either a money rebate associated with the first gift card, or a second gift card*; and *exchanging the first gift card for either a money rebate or the second gift card*.

Claim 9 recites (emphasis added):

9. A method of exchanging a gift card, comprising:

providing data associated with a first gift card;
validating the data associated with the first gift card;
selecting either a money rebate associated with the first gift card, or a second gift card; and
exchanging the first gift card for either a money rebate or the second gift card.

Chau et al. is characterized above.

For at least the above reasons, Applicant asserts Chau et al. fails to teach or disclose all of the elements and limitations of pending independent claim 9. Applicant also believes that pending claims 10-20 that depend from claim 9 are also allowable for at least the above reasons.

Regarding independent claim 21, Chau et al. does not teach or disclose a computer program product for exchanging a gift card, the computer program product having a medium with a computer program embodied thereon, the computer program including: computer code for providing data associated with a first gift card; computer code for validating the data associated with the first gift card; computer code for *selecting either a money rebate associated with the first gift card, or a second gift card;* and computer code for *exchanging the first gift card for either a money rebate or the second gift card.*

Claim 21 recites (emphasis added):

21. A computer program product for exchanging a gift card, the computer program product having a medium with a computer program embodied thereon, the computer program comprising:
computer code for providing data associated with a first gift card;
computer code for validating the data associated with the first gift card;
computer code for *selecting either a money rebate associated with the first gift card, or a second gift card;* and
computer code for *exchanging the first gift card for either a money rebate or the second gift card.*

Chau et al. is characterized above.

For at least the above reasons, Applicant asserts Chau et al. fails to teach or disclose all of the elements and limitations of pending independent claim 21. Applicant therefore believes that pending independent claim 21 is allowable for at least the above reasons.

Regarding independent claim 22, Chau et al. does not teach or disclose a processor for exchanging a gift card, the processor including a computer program comprising: computer code for providing data associated with a first gift card; computer code for validating the data associated with the first gift card; computer code for *selecting either a money rebate associated with the first gift card, or a second gift card*; and computer code for *exchanging the first gift card for either a money rebate or the second gift card*.

Claim 22 recites (emphasis added):

22. A processor for exchanging a gift card, the processor including a computer program comprising:
computer code for providing data associated with a first gift card;
computer code for validating the data associated with the first gift card;
computer code for *selecting either a money rebate associated with the first gift card, or a second gift card*; and
computer code for *exchanging the first gift card for either a money rebate or the second gift card*.

Chau et al. is characterized above.

For at least the above reasons, Applicant asserts Chau et al. fails to teach or disclose all of the elements and limitations of pending independent claim 22. Applicant therefore believes that pending independent claim 22 is allowable for at least the above reasons.

In the present response, Applicant addresses all of the claim objections and rejections cited in the Office Action. In view of the amendments to the claims and Applicant's remarks, Applicant believes pending claims 1-22 are in condition for allowance, and respectfully request allowance of pending claims 1-22.

With the amendments to the claims presented herein, there are currently 4 pending independent claims and 22 total pending claims in the application. As the original application had 4 independent claims and 22 total claims, Applicant believes no additional fees are due. In the event that any other fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 09-0447 of IBM Corporation.

The present amendment is believed to contain a complete response to the issues raised in the Office Action. Full reconsideration is respectfully requested. If the Examiner should have any questions, comments or suggestions, the undersigned attorney earnestly requests a telephone conference. In particular, should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is also invited to telephone the undersigned at the number listed below.

Respectfully submitted,

CARR LLP

Dated: April 30, 2007
CARR LLP
670 Founders Square
900 Jackson Street
Dallas, Texas 75202
Telephone: (214) 760-3030
Fax: (214) 760-3003

/Gregory W. Carr/
Gregory W. Carr
Reg. No. 31,093